

05-599

CLOSED, SCHEDCONFSET

**U.S. District Court
District of Kansas (Kansas City)
CIVIL DOCKET FOR CASE #: 2:04-cv-02448-CM-GLR
Internal Use Only**

Millett et al v. TrueLink, Inc.
Assigned to: District Judge Carlos Murguia
Referred to: Magistrate Judge Gerald L. Rushfelt
Demand: \$75000
Cause: 28:1332 Diversity-Other Contract

Date Filed: 09/09/2004
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Steven G. Millett

represented by **B. Joyce Yeager**
Yeager Law Firm, LLC
7270 West 98th Terrace, Building 7,
Suite 220
Overland Park, KS 66212
913-648-6673
Fax: 913-648-6921
Email: jyeager@joyceyeagerlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Barry R. Grissom
7270 W. 98th Terrace
Building 7 - Ste. 220
Overland Park, KS 66212-6166
913-341-6616
Fax: 913-341-4780
Email: bgrissom@sprintmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Melody J. Millett
*On behalf of themselves and all other
similarly situated*

represented by **B. Joyce Yeager**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Barry R. Grissom
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Transunion L.L.C.

TERMINATED: 04/08/2005

represented by **Amanda S. Lewis**

Strasburger & Price, L.L.P. - Dallas
901 Main Street, Suite 4300

Dallas, TX 75202

214-651-4461

Fax: 214-659-4104

Email: amanda.lewis@strasburger.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Paul L. Myers

Strasburger & Price, L.L.P. - Frisco
2801 Network Boulevard, Suite 600

Frisco, TX 75034

469-287-3903

Fax: 469-227-6567

Email: paul.myers@strasburger.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

James S. Kreamer

Baker, Sterchi, Cowden & Rice, L.L.C.-
Kansas City

2400 Pershing Road, Suite 500

Kansas City, MO 64108-2533

816-471-2121

Fax: 816-472-0288

Email: kreamer@bscr-law.com

ATTORNEY TO BE NOTICED

Defendant

TrueLink, Inc.

a Trans Union Company

represented by **B. Joyce Yeager**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Barry R. Grissom

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

James S. Kreamer

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text

09/09/2004	31	COMPLAINT (No summons issued) with trial location of Kansas City, Kansas, filed by Melody J. Millett and Steven G. Millett.(yh) (Entered: 09/09/2004)
09/09/2004	3	FILING FEE PAID: in the amount of \$ 150, receipt number 104892 (yh) (Entered: 09/09/2004)
10/08/2004	32	WAIVER OF SERVICE Returned Executed by Melody J. Millett, Steven G. Millett. Transunion L.L.C. waiver sent on 10/4/2004, answer due 12/3/2004. (Yeager, B.) (Entered: 10/08/2004)
11/08/2004	33	RETURN OF SERVICE of subpoena(s) filed by Plaintiffs Melody J. Millett, Steven G. Millett executed upon AT&T Corp. on 11/1/2004 by Certified Mail (Yeager, B.) (Entered: 11/08/2004)
11/19/2004	34	ANSWER to Complaint by Transunion L.L.C..(Kreamer, James) (Entered: 11/19/2004)
11/19/2004	35	MOTION to Dismiss <i>Count VI of Complaint</i> by Defendant Transunion L.L.C. (Kreamer, James) (Entered: 11/19/2004)
11/19/2004	36	MEMORANDUM IN SUPPORT of 5 MOTION to Dismiss <i>Count VI of Complaint</i> by Defendant Transunion L.L.C. (Attachments: # 1 Exhibit A) (Kreamer, James) (Entered: 11/19/2004)
11/29/2004	37	Unopposed MOTION for Extension of Time to File Response as to 5 MOTION to Dismiss <i>Count VI of Complaint</i> , 6 Memorandum in Support of Motion by Plaintiffs Melody J. Millett, Steven G. Millett (Yeager, B.) (Entered: 11/29/2004)
11/30/2004		Motions No Longer Referred: 7 Unopposed MOTION for Extension of Time to File Response as to 5 MOTION to Dismiss <i>Count VI of Complaint</i> , 6 Memorandum in Support of Motion (mt) (Entered: 11/30/2004)
12/03/2004	38	ORDER REASSIGNING CASE. Case reassigned to Judge Carlos Murguia and David J. Waxse for all further proceedings. Judge G. Thomas VanBebber, James P. O'Hara no longer assigned to case. Signed by deputy clerk on 12/3/2004. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry)(jc) (Entered: 12/03/2004)
12/06/2004	39	ORDER granting 7 Motion for Extension of Time to File Response/Reply until 12/10/04 as to 5 MOTION to Dismiss <i>Count VI of Complaint</i> , 6 Memorandum in Support of Motion . Signed by Judge G. Thomas VanBebber on 12/2/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (yh) (Entered: 12/06/2004)
12/08/2004	310	MOTION for extension of time <i>to file motion for class certification determination</i> by Plaintiffs Melody J. Millett, Steven G. Millett (Yeager, B.) (Entered: 12/08/2004)
12/10/2004	311	RESPONSE by Plaintiffs Melody J. Millett, Steven G. Millett re 5 MOTION to Dismiss <i>Count VI of Complaint</i> (Yeager, B.) (Entered: 12/10/2004)

12/13/2004	12	ORDER granting 10 Plaintiff's Motion for Extension of Time to File Motion for class Certification Determination. A deadline for the filing of any motion for class action determination will be set during the telephone scheduling conference. Entered by Magistrate Judge David J. Waxse on 12/13/2004.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(jm) Modified on 12/15/2004 (ck). (Entered: 12/13/2004)
12/20/2004	13	ORDER SETTING SCHEDULING CONFERENCE: Telephone Scheduling Conference set for 1/27/2005 at 02:30 PM before Magistrate Judge David J. Waxse. Report of Parties Planning Meeting deadline 1/20/2005. Signed by Magistrate Judge David J. Waxse on 12/20/04. (ll) (Entered: 12/20/2004)
12/30/2004	14	MOTION for attorney Paul L. Myers to appear pro hac vice by Defendant Transunion L.L.C. (Attachments: # 1)(Kreamer, James) (Entered: 12/30/2004)
12/30/2004	15	PRO HAC VICE FEE PAID: on 12/30/04 for attorney Paul L. Myers re: 14 MOTION for attorney Paul L. Myers to appear pro hac vice in the amount of \$50.00. Receipt Number 106359. (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (kao) (Entered: 12/30/2004)
01/03/2005	16	ORDER granting 14 Motion to Appear Pro Hac Vice by Paul L. Myers for Transunion L.L.C. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf . Signed by Magistrate Judge David J. Waxse on 1/3/05. (ck,) (Entered: 01/03/2005)
01/20/2005	17	Joint MOTION for extension of time <i>to file report of parties' planning meeting</i> by Plaintiffs Steven G. Millett, Melody J. Millett(Yeager, B.) (Entered: 01/20/2005)
01/24/2005	18	MOTION for attorney Amanda S. Lewis to appear pro hac vice <i>Motion For Leave To Appear Pro Hac Vice</i> by Defendant Transunion L.L.C. (Attachments: # 1 Affidavit A)(Kreamer, James) (Entered: 01/24/2005)
01/24/2005	19	PRO HAC VICE FEE PAID: On 1/24/2005 in the amount of \$50.00 for attorney Amanda S. Lewis re: 17 MOTION for attorney Amanda S. Lewis to appear pro hac vice. Receipt Number 106671. (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (kao) (Entered: 01/24/2005)
01/25/2005	20	ORDER SETTING STATUS CONFERENCE: The parties are relieved of the obligation to submit the Report of Parties Planning Meeting by January 20, 2005. On the Court's own motion, the telephone scheduling conference set for January 27, 2005 at 2:30 p.m. is hereby converted to a telephone status conference. A new date for the submission of the Report of Parties Planning Meeting will be set at the telephone status conference. Entered by Magistrate Judge David J. Waxse on 1/25/2005.(This is a

		TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(jm) (Entered: 01/25/2005)
01/25/2005	19	ORDER granting 16 Motion for Extension of Time to File. (See document #18.) Entered by Magistrate Judge David J. Waxse on 1/25/2005.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(jm) (Modified on 1/25/2005 to associate this order with text entry #18. (mg)) (Entered: 01/25/2005)
01/25/2005		Reset Hearings: Status Conference set for 1/27/2005 at 02:30 PM before Magistrate Judge David J. Waxse. See text entry #18. (mg) (Entered: 01/25/2005)
01/26/2005	20	ORDER granting 17 Motion to Appear Pro Hac Vice. Amanda S. Lewis is granted leave to appear pro hac vice on behalf of Transunion L.L.C.. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf. Signed by Magistrate Judge David J. Waxse on 01/26/05. (mg) (Entered: 01/26/2005)
01/27/2005	21	Minute Sheet for Telephone Status Conference held before Magistrate Judge David J. Waxse on 1/27/2005: Plaintiffs may file First Amended Complaint by 3/24/2005. Defendant to respond to Amended Complaint by 4/25/2005. Counsel to meet for Parties' Planning Conference by 5/10/2005. Report of Parties' Planning Conference deadline 5/21/2005. Telephone Scheduling Conference set for 6/1/2005 at 10:00 AM before Magistrate Judge David J. Waxse. (See Minute Sheet for details.) (ll) (Entered: 01/27/2005)
01/27/2005		Set/Reset Deadlines: Report of Parties Planning Meeting deadline set for 5/21/2005 per 21. (ll) (Entered: 01/27/2005)
03/24/2005	22	Unopposed MOTION for extension of time to <i>amend complaint</i> by Plaintiffs Steven G. Millett, Melody J. Millett(Yeager, B.) (Entered: 03/24/2005)
03/28/2005	23	ORDER granting 22 Plaintiffs' Motion for Extension of Time to File Their Amended Complaint. Plaintiffs are allowed through and including March 30, 2005 to file their amended complaint. Defendants will answer or otherwise respond on or before May 2, 2005. Signed by Magistrate Judge David J. Waxse on 3/28/2005.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(jm) (Entered: 03/28/2005)
03/30/2005	24	MOTION for Leave to file amended complaint to add party <i>and motion for extension of time to amend complaint</i> by Plaintiffs Steven G. Millett, Melody J. Millett (Attachments: # 1 Exhibit A - Amended Complaint) (Yeager, B.) Modified text on 3/31/2005 (lak). (Entered: 03/30/2005)
04/01/2005	25	ORDER granting 24 Plaintiffs' Motion to Add a Party and Motion for Extension of Time to Amend. Within ten (10) days of the date of filing of

		this Order Plaintiffs shall file and serve the Amended Complaint. Signed by Magistrate Judge David J. Waxse on 4/1/2005.(jm) (Entered: 04/01/2005)
04/06/2005	326	ORDER finding as moot 5 Motion to Dismiss. Signed by Judge Carlos Murguia on 4/6/2005. (jc) (Entered: 04/06/2005)
04/08/2005	327	AMENDED COMPLAINT - <i>Class Action</i> against all defendants. filed by Steven G. Millett, Melody J. Millett.(Yeager, B.) (Entered: 04/08/2005)
05/20/2005	328	ORDER continuing Telephone Scheduling Conference. Due to a new defendant entering its appearance in the case, the parties deadline for conducting the planning meeting in this case shall be extended to 7/29/2005. The deadline for submission of the Report of Parties Planning Meeting is hereby extended to 8/5/2005. The Telephone Scheduling Conference is hereby continued to 8/12/2005 at 03:00 PM before Magistrate Judge David J. Waxse. Entered by Magistrate Judge David J. Waxse on 5/20/2005.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(jm) (Entered: 05/20/2005)
06/09/2005	329	MOTION to Dismiss <i>For Improper Venue and Alternative Motion to Transfer and Brief in Support</i> by Defendant TrueLink, Inc. (Attachments: # 1 Exhibit 1, 1A, 1B, 2, 2A)(Kreamer, James) (Entered: 06/09/2005)
07/11/2005	330	ORDER REASSIGNING CASE. Case reassigned to Judge Gerald L. Rushfelt for all further pretrial proceedings. Judge David J. Waxse no longer assigned to case. Report of Parties' Planning Conference due 8/5/2005 to ksd_rushfelt_chambers@ksd.uscourts.gov. Scheduling Conference set for 8/12/2005 at 03:00 PM before Magistrate Judge Gerald L. Rushfelt. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (ll) (Entered: 07/11/2005)
07/28/2005	331	MOTION for Extension of Time to File Response as to 29 MOTION to Dismiss <i>For Improper Venue and Alternative Motion to Transfer and Brief in Support and to File Response Out of Time</i> by Plaintiffs Steven G. Millett, Melody J. Millett(Yeager, B.) (Entered: 07/28/2005)
07/29/2005		Motion No Longer Referred to Magistrate Judge: 31 Plaintiffs' MOTION to File Out of Time Their Response to 29 Defendant's MOTION to Dismiss, or in the Alternative, Motion to Transfer. (byk) (Entered: 07/29/2005)
07/29/2005	332	ORDER granting 31 Motion for Extension of Time to File Response/Reply re 29 MOTION to Dismiss <i>For Improper Venue and Alternative Motion to Transfer and Brief in Support</i> Response deadline 8/3/2005. Signed by Judge Carlos Murguia on 7/29/2005.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (js) (Entered: 07/29/2005)
08/03/2005	333	RESPONSE by Plaintiffs Steven G. Millett, Melody J. Millett re 29 MOTION to Dismiss <i>For Improper Venue and Alternative Motion to Transfer and Brief in Support</i> (Yeager, B.) (Entered: 08/03/2005)

08/09/2005	34	ORDER: The Telephone Scheduling Conference set for 8/12/2005 is hereby rescheduled for 9/29/2005 at 10:45 AM before Magistrate Judge Gerald L. Rushfelt. Report of Parties Planning Meeting deadline 9/22/2005. Entered by Magistrate Judge Gerald L. Rushfelt on 8/9/05. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (ll) (Entered: 08/09/2005)
08/09/2005	35	ORDER granting 29 Motion to Dismiss/transfer . Signed by Judge Carlos Murguia on 8/9/05. (yh,) (Entered: 08/09/2005)